



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,526	06/24/2005	Hiroshi Arisawa	052723	5357
38834 7590 03/06/2009 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER JERABEK, KELLY L				
ART UNIT 2622		PAPER NUMBER		
MAIL DATE 03/06/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/540,526

Applicant(s)

ARISAWA ET AL.

Examiner

KELLY L. JERABEK

Art Unit

2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 February 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-5 and 7-19.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/David L. Ometz/
Supervisory Patent Examiner, Art Unit 2622

Continuation of 11. does NOT place the application in condition for allowance because: 1) Applicant's arguments regarding claim 1 (after final amendment page 3) state that the Kanade reference does not disclose cameras that are movable in three dimensions wherein pan/tilt/zoom information is associated with moving image data taken by the cameras. The Examiner respectfully disagrees. Kanade discloses a multi perspective video capture system that includes moving pan/tilt/zoom cameras (42) that may receive viewing angle and zoom commands based on the output of control unit (24) (figure 8; page 4, paragraphs 45-46). Kanade further discloses that each pan/tilt camera (42) may have an image generator (20) associated therewith and the pan/tilt cameras (42) may receive viewing angle and zoom commands based on the output from the control unit (24) (page 4, paragraphs 45-46). Furthermore, the Kanade reference discloses that an image capturing device calibration database (36) and a mapping module (32) computes camera viewing angles and zoom data for image generators (20) associated with cameras (14, 42) based on the viewing angles and zoom parameter commands from the control unit (24) (page 3, paragraphs 35-36). Thus, it can be seen the capturing device calibration database (36) and the mapping module (32) are applied to the pan/tilt cameras (42) as well as the camera bank (14). Therefore, the Examiner maintains that the Kanade reference discloses that video image data of a moving image is synchronized for each frame of a plurality of cameras (42), with camera parameters (camera pose information such as location, orientation, zoom parameters, focus parameters) for each frame of each of the cameras (42), and association information (calibration database 36 stores pose information of a camera that captures images in order to form a pose calibration measurement) that mutually associates the video image data of the moving image with the camera parameters (camera pose information such as location, orientation, zoom parameters, focus parameters) for each frame, are acquired; wherein the camera parameters include camera attitude information of camera pan tilt and zoom information (the camera parameters include pose location and orientation information as well as zoom control parameters) (page 3, paragraphs 35-36).

2) Applicant's arguments regarding claim 17 (after final amendment page 5) state that the Kanade reference does not disclose finding correspondence between the focal position of the camera and the center position of the axis of rotation from the image. The Examiner respectfully disagrees. The system (10) disclosed by Kanade includes a camera parameter correction method, comprising the steps of: acquiring an image in a plurality of rotational positions by panning and/or tilting a camera (42) (page 4, paragraphs 45-46). Kanade further discloses that each pan/tilt camera (42) may have an image generator (20) associated therewith and the pan/tilt cameras (42) may receive viewing angle and zoom commands based on the output from the control unit (24) (page 4, paragraphs 45-46). Furthermore, the Kanade reference discloses that an image capturing device calibration database (36) and a mapping module (32) computes camera viewing angles and zoom data for image generators (20) associated with cameras (14, 42) based on the viewing angles and zoom parameter commands from the control unit (24) (page 3, paragraphs 35-37). Thus, it can be seen the capturing device calibration database (36) and the mapping module (32) are applied to the pan/tilt cameras (42) as well as the camera bank (14). Therefore, the Examiner maintains that the system (10) disclosed by Kanade utilizes the image capturing device calibration database (36) and mapping module (32) in order to find correspondence between the focal position of the cameras (42) and the center position of the axis of rotation from the image.

3) Applicant's arguments regarding claim 9 (after final amendment pages 5-6) state that the teaching in the Kanade reference of adding a time stamp to captured images does not constitute adding a sequential frame count to video image data. The Examiner respectfully disagrees. The term "frame count" is a broad term and the Examiner maintains that a time stamp of a frame constitutes a "frame count". Kanade discloses that the timing of each video frame captured (frames are captured sequentially) may be labeled electronically (time stamped) (page 2, paragraph 24). Therefore, the Examiner maintains that the Kanade reference discloses sequentially adding a "frame count" to the camera parameters of each camera.